

Notice of Allowability

Application No.

09/689,761

Examiner

Shih-wen Hsieh

Applicant(s)

SUZUKI, KAZUNAGA

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated Nov. 28, 2003.
2. ☒ The allowed claim(s) is/are 3, 5-17, 20, 22-32 and 35-40.
3. ☒ The drawings filed on 13 October 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Shih-wen Hsieh
Shih-wen Hsieh
Primary Examiner
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Response to Amendment

1. Claims 3, 5-17, 20, 22-32 and 35-40 are allowed.
2. The following is an examiner's statement of reasons for allowance:

In regard to:

Claims 3 and 20:

These two claims were indicated as containing allowable subject matters.

Applicant made these two claims as independent claims and incorporated all subject matters and limitations from their base claims 1 and 18 respectively rendering these claims allowable over the prior art or record.

Claims 5-17, 22-32 and 35-38:

The primary reason for the allowance of claims 5-17, 22-32 and 35-38 is the inclusion of the limitation of a controller of a liquid jetting apparatus is capable of performing a suction recovery based on a time measurement from a previous recovery operation and jetting data corresponding to one scanning movement in the main scanning direction. It is this limitation found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Claims 39 and 40:

Allowable subject matters indicated to claims 7 and 24 in the last office action have been added into newly added claims 39 and 40 respectively rendering these two claims allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,042,218, "Ink jet printer" to Nakahara, 3/2000 teaches in his fig. 3 a flushing table, in this table, the number of time the flushing operation is to be performed to the head depends on how long a previous flushing has been performed to the head.

US 6,398,336 B1, "Ink jet recording apparatus and maintenance method therefor" to Yoda et al., 6/2002 teaches in their figs. 6 and 7 an execution of head maintenance is compare with a non-print time (Tnp) and number of lines printed since the last head maintenance process was executed (Pcl).

US 5,625,384, "Ink jet recording apparatus and method using replaceable recording heads" to Numata et al., 4/97 teaches in their fig. 2 steps S33 and S34 that in step S33, one line being printed (which corresponds to the head makes one scanning

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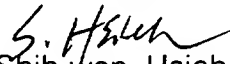
across a recording media in the main scanning direction), after that in step S34 a decision is made as to whether to conduct a recovery operation.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 703-305-4961. The examiner can normally be reached on 7:30AM -5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, B. Fuller can be reached on 703-308-0079. The fax phone number for the organization where this application or proceeding is assigned is 703-305-3431.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

SHIH-WEN HSIEH
PRIMARY EXAMINER


Shih-wen Hsieh
Primary Examiner
Art Unit 2861

SWH


Dec. 30, 2003